

14 wherein the item is purchased via a host system and the host
15 system records the first price and information identifying the customer; the host
16 system conducts the monitoring, noting, and calculating steps; and the host
17 system provides the refund to the consumer, and

18 wherein the host system provides the refund by crediting an
19 account of the consumer.

1 39. The method of claim 38 wherein the item is purchased by the consumer
2 at a location of the vendor.

1 40. The method of claim 38 wherein the item is purchased by the consumer
2 on-line via a network system.

1 41. The method of claim 38 wherein the account is an account of the
2 consumer with the host system.

1 42. The method of claim 38 wherein a refund is made for each subsequent
2 sales price lower than the first price.

1 43. The method of claim 38 further comprising
2 monitoring sales of the item during the predetermined time period
3 for any incentive provided to consumers purchasing the item following the
4 consummated final first transaction, and
5 providing the consumer involved in the consummated final first
6 transaction with a refund based on a money value of said incentive.

1 44. The method of claim 38 further comprising
2 monitoring sales of the item during the predetermined time period
3 for any incentive provided to consumers purchasing the item following the
4 consummated final first transaction, and
5 providing the consumer involved in the consummated final first
6 transaction with a refund based on a money value with said incentive.

1 45. The method of claim 38 wherein only prices for the item to be sold by the
2 vendor involved in the first transaction are taken into account in the noting step.

1 46. The method of claim 38 wherein only prices for the item for sale in a
2 pertinent geographic area are taken into account in the noting step.

1 47. A business system for guaranteeing a consumer a best price on an item

2 purchased from a vendor in a consummated final first transaction at a first price, the
3 system comprising

4 means for recording the first price and information identifying the
5 consumer,

6 means for monitoring the sales price of the item for a
7 predetermined time period after purchase of the item by the consumer in the
8 consummated final first transaction,

9 means for noting any price lower than the first price for the item
10 during the predetermined time period following the purchase of the item,

11 means for calculating a money-value difference between the first
12 price and said any price lower than the first price, and

13 means for refunding to an account of the consumer an amount
14 equal to the money-value difference.

1 48. The business system of claim 47 further comprising

2 a host system that includes the means for recording, means for
3 monitoring, means for noting, and means for calculating.

1 49. The business system of claim 48 further comprising

2 the host system also including the means for refunding.

1 50. The business system of claim 47 wherein the consumer conducts the
2 consummated final first transaction with the vendor via the host system.

1 51. The business system of claim 47 further comprising

2 means for duplicating for the consumer any incentive
3 accompanying sales of the item after the consummated final first transaction
4 during the predetermined time period.

1 52. The business system of claim 47 further comprising

2 means for determining a pertinent geographic area for the
3 consummated final first transaction and for limiting the monitoring step to sales
4 prices available within the pertinent geographic area.

1 53. The business system of claim 47 further comprising

2 means for providing a warranty to the consumer.

1 54. In a business system with a magnetic strip card with consumer

2 identifying information encoded thereon said information identifying a consumer
3 desiring to conduct a transaction with a vendor, a host system that maintains
4 information about discounts from said vendor, an apparatus for reading information
5 on the magnetic strip card, said apparatus interconnected with and in communication
6 with the host system, and means for applying any applicable discount related to said
7 transaction for the benefit of said consumer, the improvement comprising

8 means for guaranteeing a consumer a best price on an item
9 purchased from the vendor in a consummated final first transaction at a first
10 price, said means further comprising

11 means for recording the first price and information identifying the
12 consumer,

13 means for monitoring the sales price of the item for a
14 predetermined time period after the purchase of the item by the consumer in the
15 consummated final first transaction,

16 means for noting any price lower than the first price for the item
17 during the predetermined time period,

18 means for calculating a money-value difference between the first
19 price and said any price lower than the first price, and

20 means for refunding to an account of the consumer an amount
21 equal to the money-value difference.

REMARKS

Claims 21 - 37 have been rejected for various reasons under §§ 102 and 103. These claims have been cancelled. Applicants respectfully submit that the new claims presented here define patentable subject matter.

§ 102 Rejection

Claims 21 - 23, 26 - 33 and 35 have been rejected under § 102 based on walker et al (U.S. 6,249,772). These claims have been cancelled. The new claims